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LETTER DATED 24 DECEMBER 1999 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward the report of the Federal Republic of Yugoslavia to the Secretary-General of the United Nations on the situation of negotiations with the Republic of Croatia in connection with the resolution of the disputed issue of Prevlaka (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

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Annex

Report of the Federal Republic of Yugoslavia to the Secretary-General of the United Nations on the situation of negotiations with the Republic of Croatia in connection with the resolution of the disputed issue of Prevlaka

Under paragraph 5 of Security Council resolution 1252 (1999) of 15 July 1999, a report is herewith submitted to the Secretary-General of the United Nations on the situation of negotiations between the delegations of the Federal Republic of Yugoslavia and the Republic of Croatia on the solution of the disputed issue of Prevlaka.

The delegations of the Federal Republic of Yugoslavia and the Republic of Croatia on negotiations for the solution of the disputed issue of Prevlaka held their fourth and most recent meeting at Belgrade on 9 March 1999, after which the two sides exchanged argumentation on which each of the sides bases its claim as to where the inter-State border in the area of Prevlaka extends. After the meeting, there followed an interruption in the negotiations due to the aggression of the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia. Upon the termination of the aggression of NATO, conditions were created for the resumption of negotiations, and on 14 July 1999 the Chairman of the Yugoslav delegation, Rodoljub Etinski, informed the Chairman of the Croatian delegation, Hrvoje Kacic, that the Yugoslav delegation was ready to resume negotiations without delay, and that, in accordance with the rules of procedure of the negotiations, the Yugoslav side expected that Croatia would propose the holding of the fifth meeting of delegations at Zagreb.

The Croatian side has not yet extended the Yugoslav side a concrete invitation to the meeting.

Its readiness to resume the negotiations and a comprehensive consideration of prepared argumentation was expressed by the Yugoslav side in the report submitted to the Secretary-General on 5 October 1999, as well as in a number of conversations of Yugoslav representatives with United Nations representatives. Clearly, the Yugoslav side cannot be blamed for the impasse in the negotiations.

In order to further the process of negotiations on the disputed issue of Prevlaka and to overcome the objections mentioned in the reports of the Secretary-General, the Federal Republic of Yugoslavia has taken a constructive approach by the decision to replace the units of the Army of Yugoslavia in the north-western part of the area (Bjelotina) by members of the police. That decision of the Federal Republic of Yugoslavia represents its gesture of good will and a contribution to a speedier solution of this disputed issue.

The Federal Republic of Yugoslavia expects the United Nations Mission of Observers in Prevlaka (UNMOP) to abide by its mandate in an unchanged form as expressed in the last report of the Secretary-General of 12 October 1999, in which it was noted that the zone under United Nations control (the so-called "Blue Zone") falls within the exclusive competency of the United Nations,

pending an agreement by the sides in the area (see S/1999/1051, para. 4). Also, the Yugoslav side expects that the Croatian side will carry out the obligations stemming from the Security Council resolution and the report of the Secretary-General relative to the maintenance of the regimes of the "Yellow Zone" and the "Blue Zone" in particular, the regime of which the Republic of Croatia has been drastically violating ever since the establishment of the United Nations Mission in Prevlaka. The UNMOP call for a consistent compliance with the regime of the "Blue Zone", contained in the "Procedures for the improvement of security in the area of the Prevlaka Peninsula" of May 1996, was addressed primarily to the Croatian side. It was requested in the Procedures that the zone under United Nations control (also known as the "Blue Zone") be completely vacated from military and police personnel, as well as equipment belonging to the sides, and that the United Nations maintain a constant presence in that area as a guarantee of demilitarized status of the area pending a final solution of the issue.

The Federal Republic of Yugoslavia points out that the Croatian side is not authorized to request a decision that the status of the "Blue Zone" be modified or that UNMOP be withdrawn since such a request is contrary to article 4 of the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia signed at Belgrade on 23 August 1996 (S/1996/706, annex), in which it is agreed that until mutual agreement on Prevlaka is reached, the Contracting Parties will respect the existing security regime established through United Nations monitoring.

The change of the regime of UNMOP without agreement of both sides is not only contrary to the said provision but would also aggravate and complicate the process of the solution of the dispute through negotiations.

The Federal Republic of Yugoslavia reiterates its readiness to continue bilateral negotiations on the solution of the disputed issue of Prevlaka under article 4 of the Agreement on Normalization of Relations and the rules of international law.